

INSTRUCTIONS FOR FILING A MOTION TO WITHDRAW THE REFERENCE

To comply with the Bankruptcy Court's Local Rule 5011-1 ("Withdrawal of Reference"), a party filing a **Motion to Withdraw the Reference** must file with *both* the Bankruptcy Court *and* the District Court. The steps for filing are outlined below:

1. File the Motion to Withdraw the Reference with the **Bankruptcy Court** and pay the filing fee of \$150.00. **Do not file with the District Court until completing the steps outlined below.**
2. The filer must complete the attached form. [*Return to the Court's website and open one of two links to this form (one in WordPerfect, the other in Word). These links appear immediately after the link to these instructions.*] Include the following information when completing the form:
 - a. bankruptcy case name;
 - b. bankruptcy case number;
 - c. caption of adversary proceeding [*example*: John Doe v. Mary Jones];
 - d. adversary proceeding number;
 - e. **District Court Civil Case Number**¹; and
 - f. receipt number (from payment to Bankruptcy Court).
3. The completed form must be delivered to the District Court with the required documents:
 - a. 1 paper copy of the Motion to Withdraw the Reference;
 - b. 3 completed Civil Cover Sheets²; and
 - c. Statement under FRCP 7.1.

November 10, 2008

Vito Genna
Acting Clerk of Court

¹ To obtain the District Court Civil Case Number, contact the Bankruptcy Court's *Appeals and Judgments Clerk* [212-668-2870, ext. 3512]. **Do not file with the District Court without first obtaining the Civil Case Number.** Please note that the *Appeals and Judgments Clerk* will **not** be able to provide a Civil Case Number until the filing fee (referred to above in the first paragraph) has been paid to the Bankruptcy Court.

² District Court forms may be obtained from the District Court's website: www.nysd.uscourts.gov. Click on "Forms" and then "Forms Required to Start an Action."